

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TIMOTHY MCCARTHY III,

Plaintiff,

No. C 16-06782 WHA

v.

SCOTT GEIST, individually; and  
DOES 1-50, inclusive, individually,  
jointly and severally,

Defendants.

**ORDER GRANTING LEAVE  
TO AMEND COMPLAINT**

Plaintiff Timothy McCarthy filed an amended complaint on June 15 against five deputies and a sergeant of the Contra Costa Sheriff's Department (Dkt. No. 24). On September 22, an order dismissed his claims against all but two deputies (Dkt. No. 34).

On October 11, plaintiff moved to file a second amended complaint that would dismiss one of the two remaining deputy defendants, but otherwise leave the material allegations against Deputy Scott Geist unchanged (Dkt. No. 39). The motion is unopposed and **GRANTED**. Plaintiff shall file the second amended complaint by **NOVEMBER 8 AT NOON**.

**IT IS SO ORDERED.**

Dated: October 31, 2017.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE